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SLR:EB:JHK
F. #2004R02399

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

STIPULATION AND FINAL
ORDER OF FORFEITURE

- against -

05 CR 0886 (S-2) (LDW)

Michael Reizenstein,
also known as "The Plumber,"

Defendant.

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WHEREAS, on November 20, 2006, this Court entered a Preliminary Order of Forfeiture (the "Preliminary Order") as to the defendant Michael Reizenstein (the "Defendant"), pursuant to 21 U.S.C. § 853, wherein the Defendant agreed to forfeit to the United States of America all of his right, title and interest in the real property and premises located at 111 Orchard Street, Yonkers, New York, and all proceeds traceable thereto (the "Forfeited Asset"), as property that constitutes, or is derived from, proceeds the Defendant obtained, directly or indirectly, as a result of his violation of 21 U.S.C. § 846, and/or as property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of his violation of said offense, and/or as a substitute asset pursuant to 21 U.S.C. § 853(p); and

WHEREAS, the Court finds that the Defendant had an interest in the Forfeited Asset, which shall be forfeited to the United

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States, pursuant to 21 U.S.C. § 853; and

WHEREAS, on February 17, 2007, February 21, 2007, and February 28, 2007, notice was published of the forfeiture of the Forfeited Assets and no petition or claim was filed; and

WHEREAS, direct written notice was served upon third-party lienholder WELLS FARGO HOME MORTGAGE (hereinafter, referred to as the "lienholder") on or about February 15, 2007; and

WHEREAS, on or about April 6, 2007, the lienholder filed a petition asserting its lienhold interest in the Forfeited Asset; and

WHEREAS, with the exception of the above-referenced petition, no other claims or petitions have been filed in this case, and the time for doing so has expired; and

WHEREAS, the United States and the lienholder hereby desire to settle this matter without further litigation.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that all right, title and interest in the Forfeited Asset are hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, on consent of all parties, that the United States Marshals Service and all of its duly authorized agents and/or contractors are hereby authorized to seize and dispose of the Forfeited Asset in

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accordance with all laws and regulations; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, on consent of all parties, that the United States Marshals Service and all of its duly authorized agents and/or contractors, in connection with the custody and sale of the Forfeited Asset, shall pay one hundred percent (100%) of the following amounts to the lienholder from the proceeds of such sale: (a) all unpaid principal due to the lienholder under its mortgage instrument; (b) all unpaid interest at the contractual base rate (not the default rate) under said mortgage instrument, as assessed per diem until the date of payment; (c) all real estate taxes and casualty insurance premiums which have been, or may be advanced, by or on behalf of the lienholder, and which remain unreimbursed. Payment of the amounts set forth above by the United States Marshals Service shall be made to the lienholder to the extent that proceeds of the sale of the Forfeited Asset remain after payment of any outstanding taxes and expenses incurred by the United States Marshals Service; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the United States District Court for the Eastern District of New York shall retain jurisdiction in the case for the purpose of enforcing the Preliminary Order and this Final Order of Forfeiture and any supplemental final orders of forfeiture as may be necessary; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that, pursuant

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to Rule 32.2 of the Federal Rules of Criminal Procedure, this Final Order of Forfeiture shall become final as to the Defendant and at the time of sentencing shall be made part of the Defendant's sentence and included in his judgment of conviction; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Clerk of the Court shall forward five (5) certified copies of this Final Order to the United States Attorney's Office, 610 Federal Plaza, Central Islip, New York 11722, Attn: Assistant United States Attorney James H. Knapp.

This Stipulation and Final Order of Forfeiture may be executed by facsimile in several counterparts, with a separate

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signature page for each party.

All such counterparts and signature pages, together, shall be deemed to be one document.

Dated: Central Islip, New York
June 11, 2007

ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
Eastern District of New York
610 Federal Plaza
Central Islip, New York 11722

By: s/ James H. Knapp
James H. Knapp
Assistant United States Attorney
(631) 715-7867

Dated: Frederick, Maryland
June ___, 2007

s/ Dixie Teagle
WELLS FARGO HOME MORTGAGE

On the ___ day of May, 2007, before me, the undersigned, personally appeared Dixie Teagle, the subscribing witness to the foregoing instrument, who identified himself as the vice president of WELLS FARGO HOME MORTGAGE, the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the board of directors of said corporation, and that he signed his name thereto by like authority.

/s/
NOTARY PUBLIC

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signature page for each party.

All such counterparts and signature pages, together, shall be deemed to be one document.

Dated: Westbury, New York
June ___, 2007

STEVEN J. BAUM, P.C.
Attorneys for Wells Fargo
Home Mortgage
900 Merchants Concourse, Suite 412
Westbury, New York 11590

BY: s/ David S. Lee
David S. Lee, Esq.
(716) 204-9484

Dated: Central Islip, New York // ~
June 14, 2007

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HONORABLE LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE